

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
                                v.                 ) Case No.: 18-0104-01-CR-W-DGK  
                                )  
Jamal Hinton,             )  
                                )  
Defendant.                 )

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 1, 2018. Defendant Jamal Hinton appeared in person and with appointed counsel Stephan Moss. The United States of America appeared by Assistant United States Attorney Don Green.

***I. BACKGROUND***

On May 1, 2018, an indictment was returned charging Defendant with one count of Felon in Possession of a Firearm/Ammunition pursuant to 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

***II. TRIAL COUNSEL***

Mr. Green announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is:

KCPD Detective Robert Duff.

Mr. Moss announced that he will be the trial counsel for Defendant Jamal Hinton.

***III. OUTSTANDING MOTIONS***

There are no pending motions in this case.

**IV. *TRIAL WITNESSES***

Mr. Green announced that the government intends to call eight to nine (8-9) witnesses without stipulations or five (5) witnesses with stipulations during the trial.

Mr. Moss announced that Defendant Hinton intends to call less than three (3) witnesses during the trial.

Defendant [ ] **will**

[x] **may**

[ ] **will not** testify.

**V. *TRIAL EXHIBITS***

Mr. Green announced that the government will offer approximately fifteen to twenty (15-20) exhibits in evidence during the trial.

Mr. Moss announced that Defendant Hinton will offer approximately less than ten (10) exhibits in evidence during the trial.

**VI. *RULE 404(b) EVIDENCE***

Mr. Green announced that the government

[ ] **will**

[x] **will not**

offer 404(b) or res gestae evidence during the trial.

Mr. Moss announced that Defendant Hinton

[ ] **will**

[x] **will not**

offer 404(b) or res gestae evidence during the trial.

## **VII. DEFENSES**

Mr. Moss announced that Defendant Hinton will rely on the  
 defense of general denial.

defenses of general denial and

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## **VIII. POSSIBLE DISPOSITION**

Mr. Moss stated this case

is definitely

may be

negotiating plea agreement

considering seeking a continuance on grounds of \_\_\_\_\_

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other \_\_\_\_\_

is probably not for trial.

Mr. Green stated the government

had

had not

proposed a plea agreement to the defendant.

## **IX. STIPULATIONS**

Stipulations are likely as to

chain of custody

chemist's reports

- prior felony conviction
- interstate nexus of firearm
- \_\_\_\_\_
- are not likely**
- are not appropriate in this case.**

**X. TRIAL TIME**

Counsel were in agreement that this case will take one-and-a-half to two (1½-2) days to try.

**XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS**

The U. S. Magistrate Judge ordered:

That counsel for each party file and serve a **list of exhibits** he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by **August 6, 2018**;

That counsel for each party file and serve requested jury **voir dire** examination questions by or before noon, **August 14, 2018**;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested **jury instructions** by or before noon, **August 14, 2018**. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That counsel for each party file all **signed stipulations** by or before noon, **August 10, 2018**.

**XII. UNUSUAL QUESTIONS OF LAW**

- No motions in limine are anticipated.
- Motions in limine on the following issues will probably be filed: \_\_\_\_\_
-

There are no unusual questions of law.

\_\_\_\_\_

### **XIII. TRIAL SETTING**

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 20, 2018.

A \_\_\_\_\_-speaking interpreter is required.

Other assistive devices:

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/Robert E. Larsen

ROBERT E. LARSEN

United States Magistrate Judge

Kansas City, Missouri

August 1, 2018